

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

JOHN UNDERWOOD,)	
)	
Petitioner,)	
)	CIVIL ACTION NO.
v.)	2:18cv891-MHT
)	(WO)
DEWAYNE ESTES, Warden,)	
et al.,)	
)	
Respondents.)	

ORDER

This cause is now before the court on the petitioner's motion for a certificate of appealability, which is contained in his notice of appeal (Doc. 17). Petitioner seeks a certificate of appealability as to his claim that the prosecution knowingly used perjured testimony in violation of *Giglio v. United States*, 405 U.S. 150 (1972), and its progeny. To obtain a certificate of appealability the prisoner must make a "substantial showing of the denial of a constitutional right." 28 U.S.C. § 2253(c)(2). The court finds that the petitioner has failed to make this showing.

Accordingly, it is ORDERED that petitioner's motion for a certificate of appealability (Doc. 17) is denied.

DONE, this the 10th day of February, 2022.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE